

IN THE CLAIMS:

Please amend claim 1 and cancel claim 8.

1. (Amended) An emulsified pavement treating
conditioner [composition] comprising an aqueous emulsion of a
quantity of bituminous pavement rejuvenator consisting
[essentially] of a coal tar derivative containing a mixture of
5 di-, tri- and tetracyclic aromatic compounds and their alkyl
homologs containing lower alkyl groups together with a quantity
[significant amount] of phenolic and hydroxy derivatives, said
mixture having a specific gravity at 25/25° C of at least 1.08,
a maximum Brookfield viscosity at 25° C of 30 cps, and an initial
10 boiling point of at least 180° C and a continuous boiling range
to at least 300° C, with 70-40 % by volume of the material
remaining as residue at 300° C, and an aqueous emulsifying agent
to form individually dispersed droplets of bituminous pavement
rejuvenator in suspension.

REMARKS

Claims 1-12 stand rejected under 35 U.S.C. §112 and
§103. Particularly in view of the above claim amendments, and
for the following reasons, these rejections should be withdrawn.

Every claim amendment tacitly suggested by the Examiner
has been adopted herewith. The "coal tar derivative" language
has been left unamended because this represents an accepted term
of art, as evidenced in its use in U.S. Patents No. 3,221,615,
3,261,269 and 4,661,378 of record. Other amendments have removed
the objected to language "substantial," have changed the
transitional phrase to "consisting of," and now specify the